

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

KUANG ZEBIN,

Defendant.

\* \* \* \* \*

Case No. 21-CR-265 (PKC)

Brooklyn, New York

July 30, 2021

TRANSCRIPT OF CRIMINAL CAUSE FOR ARRAIGNMENT  
BEFORE THE HONORABLE SANKET J. BULSARA  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Government:

MATTHEW HAGGANS, ESQ.  
Asst. United States Attorney  
United States Attorney's Office  
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Brooklyn, NY 11201

For the Defendant:

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Proceedings recorded by electronic sound recording,  
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1 (Proceedings commenced at 2:07 p.m.)

2 THE CLERK: We're now on the record. This is an  
3 arraignment in USA v. Kuang Zebin, 21-CR-265.

4 Counsel, please state your appearances, starting  
5 with the government.

6 MR. HAGGANS: Good afternoon, Your Honor. Matthew  
7 Haggans for the United States.

8 THE COURT: Good afternoon.

9 MR. WALSH: Good afternoon, Your Honor. Michael  
10 Walsh from Chicago on behalf of Mr. Kuang.

11 THE COURT: Good afternoon, and good afternoon, Mr.  
12 Kuang. Can you hear me, Mr. Kuang?

13 THE DEFENDANT: Yeah. Yeah, I can hear you.

14 MR. WALSH: Judge, we also have a Mandarin  
15 interpreter to interpret the --

16 THE COURT: Okay. If we're going to -- Mr.  
17 Walsh --

18 THE INTERPRETER: Yes, this is the interpreter.

19 THE COURT: Okay, Mr. Walsh, are you admitted in  
20 our district?

21 MR. WALSH: I am not, Judge. I did make efforts  
22 early this morning to submit my pro hac vice and it kept  
23 getting kicked back from PACER. I am admitted in the  
24 Southern District, I just have not had any cases in the  
25 Eastern District, so I'm in the process of getting that done.

1 THE COURT: Okay. Well, as you might imagine, we  
2 don't really care what happens in the Southern District of  
3 New York.

4 MR. WALSH: I --

5 THE COURT: All right?

6 MR. WALSH: I just wanted to let you know I'm -- I  
7 have -- I've been admitted close to where you are.

8 THE COURT: The Southern District of New York might  
9 as well be the Eastern District of Wisconsin, but I'll admit  
10 you pro hac vice for the purposes of today's conference and  
11 ask that you remedy your pro hac vice status as soon as -- as  
12 soon as possible, given the technological difficulties.

13 MR. WALSH: I will take care of that if not later  
14 today, first thing in the morning on Monday.

15 THE COURT: Okay. So if we're going to have the --  
16 does your client need translation of -- into Mandarin?

17 MR. WALSH: Probably, Judge. Do we want to redo  
18 this so he can hear that?

19 THE COURT: Well, no, I was just -- so I'm going to  
20 have to speak with the translator.

21 MR. WALSH: Okay.

22 THE COURT: Ma'am, on the phone.

23 THE INTERPRETER: Yes, Your Honor.

24 THE DEFENDANT: Yes, Your Honor.

25 THE INTERPRETER: Yes? Yes? Hello? Hello?

1 MR. WALSH: Yes, the judge would like to speak to  
2 you.

3 THE INTERPRETER: Yes.

4 THE COURT: Okay. I'm trying to figure out the  
5 best way for you to translate. I am happy to direct everyone  
6 to pause so that you can translate after each sentence or  
7 couple of sentences.

8 THE INTERPRETER: Yes, I think that so far what  
9 I've been doing is to start interpreting after each Q and A.  
10 So I will catch up now with your Q and A with Mr. Walsh.

11 THE COURT: Okay, great.

12 THE INTERPRETER: Okay.

13 THE COURT: Okay. Mr. Kuang, you can see and hear  
14 me?

15 THE DEFENDANT: Yes, I can hear you.

16 THE COURT: And can you see me, sir?

17 THE DEFENDANT: Yes. Yes.

18 THE COURT: Okay. Mr. Kuang, the reason you're  
19 here today is because you have been charged with certain  
20 federal crimes, and those crimes are outlined in a document  
21 called an indictment. What I'm going to do today is explain  
22 to you your rights and then determine what happens next in  
23 your case. Okay?

24 THE DEFENDANT: Okay.

25 THE COURT: So first, sir, you're understanding

1       these proceedings through a Mandarin language interpreter,  
2       correct?

3               THE DEFENDANT: Yes.

4               THE COURT: Okay. As I mentioned, you have certain  
5       rights. Your first right is your constitutional right to  
6       remain silent. What that means is, you don't have to make a  
7       statement at any time. You don't have to make a statement to  
8       any law enforcement official.

9               If you do make a statement, that statement can be  
10      used against you, including in this case. If you've made a  
11      statement in the past, that statement -- you don't have to  
12      make a statement in the future.

13              Do you understand your right to remain silent, sir?

14              THE DEFENDANT: I do understand.

15              THE COURT: Okay. Sir, you also have the right to  
16      counsel, which is a right to a lawyer. You have the right to  
17      have a lawyer represent you from the time you're arrested, to  
18      any trial and any appeal. You have the right to have that  
19      lawyer represent you in court and out of court, and during  
20      questioning by law enforcement. You have the right to a  
21      lawyer of your own choosing.

22              If you couldn't afford a lawyer, however, the court  
23      would appoint a lawyer for you. You also have a right to  
24      represent yourself if that's what you wish to do.

25              Do you understand your right to counsel, sir?

1 THE DEFENDANT: I understand.

2 THE COURT: Okay. And is Mr. Walsh your lawyer?

3 THE DEFENDANT: Correct.

4 THE COURT: Okay. Mr. Walsh, have you explained to  
5 your client his right to conduct this proceeding in person,  
6 and does he waive any right he has to conduct an in-person  
7 arraignment and agree to proceed via video and telephone  
8 today?

9 MR. WALSH: Yes, Judge. It was discussed with him  
10 yesterday with us.

11 THE COURT: And he waives whatever right he has to  
12 in-person proceeding and agrees to proceed via videographic  
13 and telephonic means?

14 MR. WALSH: Yes. He understood this would be done  
15 remotely.

16 THE COURT: And so he waives his rights to an in-  
17 person proceeding? That's the question. I'm not going to  
18 ask again.

19 MR. WALSH: Yes, he does.

20 THE COURT: Go ahead.

21 And, Mr. Walsh, you received a copy of the  
22 indictment tha been issued against your client and returned  
23 against your client, and have you had an opportunity to  
24 discuss that document with your client?

25 MR. WALSH: Judge, I don't -- I'm aware of the

1 charges that are being lodged against him. We discussed  
2 those charges, but I've not actually seen a physical copy of  
3 the indictment. I'm aware of the charges based on  
4 conversations with United States Attorney, and I have  
5 discussed those with my client.

6 THE COURT: Okay. This is what's going to happen.  
7 You actually need to take the indictment, read it yourself,  
8 and then discuss the indictment with your client.

9 Mr. Haggans, to the extent Mr. Walsh doesn't have a  
10 copy, if you need his email address you could kindly send it  
11 to him. I would like the Mandarin interpreter to stay on the  
12 line, and then everybody else must get off the phone. This  
13 is a court order, and any -- everyone else must get off the  
14 video. The only person who is permitted on the video at this  
15 point are the interpreter.

16 So Mr. Walsh and the only other person permitted on  
17 the telephone is the Mandarin language interpreter and of  
18 course the defendant. Everybody else must get off the phone  
19 and the video that the court ordered violation could lead you  
20 to be held in contempt.

21 Mr. Walsh, I'm sure you've read the indictment, had  
22 it, and you discussed the specific charges in it with your  
23 client. Please email Lewis, who arranged this video  
24 conference, and then we will all rejoin and then we'll  
25 proceed with the arraignment, okay?

1 MR. WALSH: Judge, is that the gentleman who I've  
2 been corresponding with earlier today?

3 THE COURT: Yes. Lewis Hugh.

4 THE CLERK: Yes. I'm here. Judge, I will have to  
5 stay on for this conference to be on. I take it that's fine?

6 THE COURT: Yeah, but you'll -- you can just turn  
7 off your volume so you're not listening.

8 THE CLERK: Yes. Absolutely.

9 THE COURT: All right. Yes. Thanks.

10 MR. WALSH: Thank you, Judge. And counsel was kind  
11 enough to send that on to me now.

12 THE COURT: Okay. Great.

13 (Off the record from 2:20 p.m. to 2:43 p.m.)

14 THE CLERK: We're now back on the record in 21-CR-  
15 265, *USA v. Kuang Zebin*.

16 Counsel, please state your appearances, starting  
17 with the government.

18 MR. HAGGANS: Matthew Haggans for the United  
19 States.

20 MR. WALSH: Michael Walsh for Mr. Kuang.

21 THE COURT: Okay. Good afternoon.

22 Mr. Kuang, you can still see and hear me?

23 THE DEFENDANT: Yeah. I can see you and hear you.

24 THE COURT: Okay. Mr. Walsh, have you had an  
25 opportunity to review the indictment and discuss it with your



1 client?

2 MR. WALSH: Yes, I have, Your Honor, and I would  
3 want to note that we'd switch from Mandarin to Cantonese for  
4 translation.

5 THE COURT: Okay. And, Mr. Kuang, do you need me  
6 to repeat anything that we did before the break and have it  
7 done in Cantonese?

8 THE DEFENDANT: It's not necessary.

9 THE COURT: Okay. Mr. Walsh, you reviewed the  
10 indictment with the assistance of an interpreter with your  
11 client?

12 MR. WALSH: Yes, I did.

13 THE COURT: Okay. Okay. And, Mr. Haggans, to  
14 which counts is Mr. Kuang charged with in this indictment?

15 MR. HAGGANS: Yes, Your Honor. He's charged with  
16 Counts 1 through 4. Count 1 is conspiracy to act as an agent  
17 of a foreign government without prior notification to the  
18 Attorney General. That's in violation of Title 18, United  
19 States Code, Section 371.

20 Count 2 is the substantive offense of acting as an  
21 agent of a foreign government without prior notification in  
22 violation of Title 18 US Code Section 951(a).

23 Count 3 is conspiracy to engage in interstate  
24 stalking in violation of Section 371.

25 And finally, Count 4 is the substantive offense,

1 stalking in violation of Section 2261(A) (1) (b) .

2 THE COURT: Okay. And, Mr. Walsh, does your client  
3 wish to have a public reading of the -- of the allegations  
4 and the charges in the indictment against him?

5 MR. WALSH: No, Your Honor, we'll waive that.

6 THE COURT: The Court notes that Mr. Kuang waives  
7 his right to a public reading of the charges in the  
8 indictment.

9 Okay. And, Mr. Walsh, how does your client plead  
10 to the first four counts of the indictment?

11 MR. WALSH: He pleads not guilty, Your Honor.

12 THE COURT: Okay. The Court notes that Mr. Kuang  
13 is entering a plea of not guilty to Counts 1 through 4 in the  
14 indictment. I should say, to be specific, entering a plea of  
15 not guilty to Counts 1 through 4 in the superceding  
16 indictment.

17 And, Mr. Haggans, just so the record is clear,  
18 because I inadvertently used the word indictment as opposed  
19 to superceding indictment earlier, it is the superceding  
20 indictment which I presume you provided to Mr. Walsh.

21 MR. HAGGANS: That is correct, Your Honor.

22 MR. WALSH: That is correct, Judge.

23 THE COURT: All right, I'm -- okay. At this point,  
24 I'm going to -- pursuant to Federal Rule of Criminal  
25 Procedure 5F, remind the government of it's obligations under

1       *Brady v. Maryland* and the cases that follow.

2               In those cases, the government is required to turn  
3       over to the defendant, all information, whether it's  
4       admissible or not, that's material to guilt or punishment,  
5       and as -- or that is favorable to the defendant, and that is  
6       known to the prosecution.

7               The prosecution must make good faith efforts to  
8       disclose that information to the defendant as soon as  
9       reasonably possible, and I'll be entering a written order  
10      that more fully details this obligation and the consequences  
11      of failing to abide by this obligation.

12              I'm directing the government to review this order  
13      and comply with it. Can the government confirm that it  
14      understands its *Brady* obligations and will fulfill them?

15              MR. HAGGANS: We do understand those obligations,  
16      Your Honor, and we will fulfill them.

17              THE COURT: Okay. What is the government's  
18      position with respect to bail?

19              MR. HAGGANS: Thank you, Your Honor. This -- as  
20      the Court will have seen from the superceding indictment,  
21      this is a serious case with serious allegations that the  
22      defendant is facing.

23              That being said, the government has had the  
24      opportunity to confer with defense counsel and to interview  
25      the proposed suretors that the defense has proffered. We've

1 also had the opportunity to consult with pretrial services,  
2 and we're also conscious of the fact that Mr. Kuang is not  
3 the first defendant to appear in this case for bond  
4 proceedings.

5 And so, taking all of that information into  
6 account, the government believes the defense has a proposed  
7 bond package that is appropriate, and I am happy to run  
8 through the government's understanding of that in brief,  
9 although I think it may make more sense for the defense to  
10 propose that package to Your Honor.

11 I'll pause for the interpreter.

12 THE COURT: Mr. Haggans, I have a bond that has the  
13 proposed condition, which I think captures the proposed  
14 conditions. I will -- just for the ease of efficiency, I  
15 will read those in a moment and make sure Mr. Walsh and you  
16 are on agreement about those.

17 I do have some questions, though, about a couple of  
18 what I think are the agreed upon provisions, so let me just  
19 start there and I'll let translation to occur after I the  
20 first question.

21 There's a -- there's a statement made, no-contact  
22 provision, namely that there's no contact with the victims or  
23 witnesses. I note the charges here include stalking and the  
24 superceding indictment refers to John Doe 1 and Jane Doe 1  
25 and Jane Doe 2.

1           And while I'm not suggesting that you say out loud  
2           on the proceeding the identity of those persons, but to the  
3           extent that there's some reason -- you know, I don't want Mr.  
4           Kuang to inadvertently run afoul of that no-contact provision  
5           if he doesn't know who those people are.

6           And so, I don't know if you want to say anything on  
7           this or what provisions you're able to make, even if it's a  
8           call to Mr. Walsh to indicate who those individuals are.

9           I'll let translation occur before you respond.

10          MR. HAGGANS: Thank you, Your Honor. Based upon  
11          what the government knows about the victims and their status  
12          and the conditions of the proposed bond, in particular the  
13          location restrictions, the government has fairly high  
14          confidence that we're not going to have inadvertent, whether  
15          accidental or purposeful, contact in this case.

16          THE COURT: Okay. And the other question I have  
17          about -- is there a condition that the government is  
18          proposing and defendants have agreed to, about Mr. Kuang's  
19          ability to enter Manhattan?

20          MR. HAGGANS: Yes, Your Honor. The government  
21          respectfully requests that the bond preclude him from  
22          entering Manhattan. The basis of that condition is that  
23          there are diplomatic facilities of the People's Republic of  
24          China located in Manhattan.

25          Those facilities are, as a legal matter under

1 principles of international law, the sovereign territory of  
2 that government, and so the government believes there's a  
3 risk that were he to enter Manhattan there could be a  
4 misunderstanding that he was headed for one of those  
5 facilities.

6 The government obviously does not wish for him  
7 enter one of those facilities and then be essentially beyond  
8 the power of the government to place him into custody or the  
9 Court to issue a warrant for his arrest that could be  
10 executed. That's why Manhattan is excluded.

11 THE COURT: Okay. Mr. Haggans, I think the last  
12 one, and it's sort of a combination question, is there --  
13 there is a curfew restriction as directed by Pretrial  
14 Services, and is there a limit to that or any of the other  
15 conditions, any kind of location monitoring or anything like  
16 that being proposed? Or is it just the travel restriction  
17 and the curfew?

18 MR. HAGGANS: It's the travel restriction and the  
19 curfew, Your Honor. And we -- I believe the proposed bond  
20 has that -- the time period of that curfew at the discretion  
21 of Pretrial Services to give them flexibility.

22 THE COURT: Okay.

23 MS. CARTER: Your Honor, Bianca Carter here.

24 THE COURT: Yes.

25 MS. CARTER: Just to clarify, the court is

1 instituting the curfew with location monitoring. Is that  
2 still the way we monitor a curfew?

3 THE COURT: Okay. In other words, it requires an  
4 ankle bracelet to monitor the curfew.

5 MS. CARTER: Correct, Your Honor.

6 THE COURT: Okay. All right. Let me -- let me  
7 then -- anything else, because I'm going to read through the  
8 conditions to make sure that the government and counsel for  
9 Mr. Kuang are in agreement, and then I will explain them to  
10 the defendant.

11 I'll let translation occur.

12 (Pause for translation)

13 THE COURT: Okay. I understand the bond that's  
14 being proposed as follows. It is a \$45,000 bond that's  
15 signed on to by Mr. Kuang and two suretors, Zen Wa Lin (ph)  
16 and Yung Ku Kuang (ph). It provides a location restriction  
17 that's limited to the defendant not traveling to New York --  
18 outside of New York City, Long Island, but also, he can't  
19 enter Manhattan.

20 There's a no-contact provision with witnesses, co-  
21 defendants, (indiscernible), or victims. There's a passport  
22 surrender. There's the regular conditions of Pretrial  
23 Services supervision. There's a curfew that's monitored by  
24 location monitoring. The location monitoring is to be paid  
25 for by the defendant, consistent with his ability to pay, and

1 then there are the standard conditions of release, which --  
2 and the standard consequences, all of which I'll go into  
3 detail with Mr. Kuang.

4 Mr. Haggans, is that correct?

5 MR. HAGGANS: Yes, Your Honor, that's correct.

6 THE COURT: Okay. Mr. Walsh, is that consistent  
7 with your understanding and agreement?

8 MR. WALSH: Yes, it is, Your Honor.

9 THE COURT: Okay. Great. In light of the parties'  
10 agreement to the bail package and in light of the  
11 recommendation of Pretrial Services, I'm going to release Mr.  
12 Kuang on bail on these conditions which I find ameliorate the  
13 risk of flight that exists in the case. I'm going to explain  
14 those conditions to him and the consequences, after I swear  
15 in the suretors and talk with them.

16 I'll let translation occur first.

17 (Pause for translation)

18 THE COURT: Okay. Do we have Zen Wa Lin on the  
19 phone?

20 MS. LIN: Yes.

21 THE COURT: Okay. Lewis, could you kindly swear in  
22 the suretor, please?

23 THE CLERK: Yes. Zen Wa Lin, please raise your  
24 right hand.

25 (Suretor sworn)



1 MS. LIN: Yes, I am swearing that I will speak the  
2 truth.

3 THE CLERK: Okay. Thank you.

4 THE COURT: State your name for the record.

5 THE CLERK: Sorry, Judge.

6 MS. LIN: My name is Lin Zen Wa.

7 THE COURT: Okay. Ma'am, can you hear me?

8 MS. LIN: Yes.

9 THE COURT: Okay. I am Judge Bulsara. I'm going  
10 to ask you some questions.

11 First, can you tell me what's your relationship to  
12 Mr. Kuang?

13 MS. LIN: I am his mother, so we have a mother and  
14 son relationship.

15 THE COURT: Okay. And do you understand that he's  
16 in court here today because he's been charged with serious  
17 federal crimes?

18 MS. LIN: I understand.

19 THE COURT: Okay. And do you understand that you  
20 are being asked to sign on to what's known as a bond in  
21 support of his release?

22 MS. LIN: I understand.

23 THE COURT: Okay. And do you understand that I'm  
24 prepared to release him on certain conditions and those  
25 conditions -- he has to comply with them, and that if he

1 doesn't comply with them, there would be consequences to him,  
2 but there would also be consequences to you, namely the  
3 government could seek to collect up to \$45,000 from you.

4 Do you understand that?

5 MS. LIN: I understand that.

6 THE COURT: Okay. And, Mr. Walsh, is it proposed  
7 that Mr. Kuang would be living with his mother during the  
8 pendency of this case?

9 MR. WALSH: That is correct, Your Honor.

10 THE COURT: Okay. And, ma'am, do you understand  
11 that your son will be living with you while his case is  
12 pending here in Brooklyn?

13 MS. LIN: Yes, my son will be living with me.

14 THE COURT: Okay. And, ma'am, what do you do  
15 (indiscernible)?

16 MS. LIN: I am a home healthcare aide.

17 THE COURT: Okay. And what is your approximate  
18 yearly income?

19 MS. LIN: It's about 20 -- a little over 25,000 a  
20 year.

21 THE COURT: Okay. So in light of the fact that  
22 your son has been charged with serious crimes, and that he --  
23 if he violates conditions, the financial consequences to you  
24 personally, specifically, you'll be required to forfeit up to  
25 \$45,000. Are you still willing to sign on to a bond in

1 support of his release?

2 MS. LIN: Yes, I'm willing.

3 THE COURT: Okay. Thank you so much. My last  
4 question for you is, I have a document here that's called a  
5 bond. It let -- it sets forth the obligations that I just  
6 laid out to you. It also lists the conditions upon which I'm  
7 releasing your son.

8 Do I have your permission to put an electronic  
9 signature -- your electronic signature on the document? What  
10 that is, is just spelling out in capital letters, your name.  
11 You will receive a copy of this document, as will your son,  
12 as will -- and his lawyer.

13 MS. LIN: I agree to that.

14 THE COURT: Okay. Thank you. Is the second  
15 suretor on, Yung Ku Kuang?

16 MS. KUANG: I'm here. I'm here.

17 THE COURT: Okay. Lewis, can you kindly swear in  
18 the second suretor, please?

19 THE CLERK: Will do, Judge.

20 Yung Ku Kuang, please raise your right hand.

21 (The suretor sworn)

22 MS. KUANG: Yes, I will be speaking the truth.

23 THE COURT: Please state your name for the record.  
24 Please state your name for the record, yeah.

25 MS. KUANG: Yung Ku Kuang.

1 THE COURT: Thank you.

2 MS. KUANG: Yung Ku Kuang.

3 THE COURT: Okay. Yung Kuang, this -- I'm Judge  
4 Bulsara. Can you hear me?

5 MS. KUANG: Yes.

6 THE COURT: Okay. And can you tell me what your  
7 relationship is to Mr. Kuang?

8 MS. KUANG: He is my nephew. I am his aunt.

9 THE COURT: Okay. And, ma'am, how often do you see  
10 or speak to him?

11 MS. KUANG: Yes, sir. He wants -- if he wants to  
12 ask me about something, he will call me.

13 THE COURT: Okay. So do you speak to him on a  
14 regular basis?

15 MS. KUANG: Yes.

16 THE COURT: Okay. And, ma'am, what do you do for a  
17 living?

18 MS. KUANG: I am a home health aide.

19 THE COURT: Okay. And what is your approximate  
20 yearly income?

21 MS. KUANG: 23,000.

22 THE COURT: Okay. And do you understand that your  
23 nephew has been charged with serious federal crimes and  
24 that's what's brought him to court here today?

25 MS. KUANG: I understand.

1 THE COURT: Okay. And do you understand that you  
2 are being asked to sign on to a bond in support of his  
3 release in the amount of \$45,000?

4 MS. KUANG: I understand that.

5 THE COURT: Okay. And do you understand that I'm  
6 prepared to release him on certain conditions, and that if he  
7 violates condition, those conditions, there will be  
8 consequences not only to him, but to you personally.  
9 Specifically, the government would impose a financial penalty  
10 on you, would seek to collect up to \$45,000 from you.

11 Do you understand that?

12 MS. KUANG: I understand.

13 THE COURT: Okay. And in light of the consequences  
14 that would fall upon you financial if he were to violate  
15 those conditions, and given the seriousness of the offenses  
16 he's been charged with, are you still willing to sign on to  
17 the bond in support of his release?

18 MS. KUANG: Yes.

19 THE COURT: Okay. I have a document that's called  
20 a bond in front of me. It lays forth the conditions I've  
21 explained to you of your option. It also sets forth the  
22 conditions upon which your nephew is being released. There  
23 is a place for your name to be signed.

24 Do I have your permission to put a computer  
25 signature on there? What that is, is just your name in

1 capital letters and you of course will be given a copy of  
2 this document, as will your nephew and his lawyer.

3 Do I have your permission to put that kind of  
4 electronic signature on the documents?

5 MS. KUANG: Yes. Okay.

6 THE COURT: All right. Okay. I find both suretors  
7 understand their obligations, that they're appropriate  
8 suretors, they can -- I will sign based on their consent, the  
9 bond.

10 Okay. Mr. Kuang, can you see and hear me again?

11 THE DEFENDANT: Yes.

12 THE COURT: Okay. I'm going to explain the -- in  
13 order for me to release you, I'm going to make sure you  
14 understand the conditions upon which you're being released  
15 and the consequences of violating those conditions. If you  
16 have any questions, just let me know, okay?

17 THE DEFENDANT: Yes.

18 THE COURT: Okay. You're subject to a travel  
19 restriction. What that means is you cannot travel outside of  
20 New York City or Long Island, and you are not permitted to  
21 enter Manhattan.

22 In addition -- go ahead.

23 (Pause for translation)

24 THE COURT: In addition, you have to give up any  
25 passports that you have if you haven't done so already, and

1       you may not apply for any other travel documents.

2               You also are subject to a contact -- a no-contact  
3       provision, which means you cannot speak to anyone who's also  
4       a defendant in your case, anyone who might be a co-  
5       conspirator, a victim, a witness, or a potential witness, and  
6       you can only speak with someone who's a defendant in the  
7       presence of your counsel, your lawyer.

8               If you don't know whether you can contact someone  
9       or not, you should ask your lawyer. This is not the kind of  
10      provision for which you will receive forgiveness. It is a  
11      provision for which you must seek permission to speak to  
12      someone. If you have any doubt, ask your lawyer as to  
13      whether or not you're permitted to speak, talk, or meet with  
14      somebody.

15              In addition to the supervision of Pretrial  
16      Services, what that means is they can visit you randomly at  
17      your home or if you are working at your place of work. They  
18      can ask you to report to them at a place or time of their  
19      choosing, either in person or via telephone, and you must  
20      abide by those requirements and meet with them as directed.

21              In addition, you're going to be subject to a curfew  
22      that -- which means you have to be back at home at certain  
23      hours. They will determine what those hours are, and in  
24      order for you to comply with those, that curfew, they will  
25      have an ankle monitor on you, and that's a monitor that you

1 will have to pay for depending upon your financial ability.

2 You're also subject to what are known as the  
3 standard conditions. Those apply to anyone who's released on  
4 bond from this court. Those conditions are as follows.

5 First, I understand that you will be living with your  
6 mother. You can't change your phone number or your address  
7 unless you inform everyone on this phone call in writing.  
8 Who is that? That's the Court; that's Pretrial Services;  
9 that's the government; that's your lawyer.

10 Okay. You are also not permitted to have a firearm  
11 or weapon or other destructive device. You also cannot  
12 possess any narcotic drug or controlled substance unless you  
13 have a doctor's permission to do so.

14 And you may not violate federal law, any state law,  
15 or any local law. Do you understand these conditions, sir?

16 THE DEFENDANT: Yes, I do understand.

17 THE COURT: Okay. Do you have any questions about  
18 these conditions?

19 THE DEFENDANT: No.

20 THE COURT: Okay. Let me explain to you what the  
21 consequences are of violating any of these conditions. If  
22 you violate any of these conditions or don't show up to  
23 court, you could be charged with a federal crime of bail  
24 jumping. If you violate any of these conditions or don't  
25 show up to court, I or another judge will issue an arrest



1 warrant, you will be arrested, and you will be held until  
2 your case concludes.

3 In addition, there's a no-contact provision as I  
4 mentioned. It is a federal crime to interfere with any  
5 victim or witness in your case. Also, I mentioned you can't  
6 violate any federal law or any state law. If you committed  
7 another crime, you would be subject to three different  
8 prosecutions.

9 First, you'd be prosecuted for this case which has  
10 brought you here to federal court today.

11 Second, you'd be prosecuted for any other crime you  
12 commit.

13 Third, it is a separate and independent federal  
14 offense to commit a crime while out on bail. If you break  
15 that last crime and you are sentenced, the sentence to that  
16 must come after. It runs consecutive to any sentence you  
17 might receive in this case.

18 Finally, and significantly, you, your mother, and  
19 your aunt are signing on to a bond in the amount of \$45,000.  
20 They strike me as very hardworking people, your family  
21 members.

22 Should you violate a condition or not show up to  
23 court, you would be placing them in financial jeopardy, as  
24 well as yourself, because the government would seek to  
25 collect up to \$45,000.

1 Do you understand each of these consequences, sir?

2 THE DEFENDANT: I do. I do.

3 THE COURT: And do you have any questions at all  
4 about either the conditions or the consequences as I've  
5 explained them to you?

6 THE DEFENDANT: When do I start wearing the  
7 monitoring devices? Is it starting now?

8 THE COURT: Yes, I believe --

9 MR. WALSH: Yes.

10 THE COURT: -- Pretrial Services will fit you with  
11 a monitor today.

12 THE DEFENDANT: Okay.

13 THE COURT: Okay. Any other questions, sir?

14 THE DEFENDANT: No.

15 THE COURT: Okay. Mr. Haggans, do you believe --  
16 well, I'm sorry.

17 Mr. Kuang, I have a bond which is -- lays out all  
18 of these conditions that I just explained to you. Do I have  
19 your permission to put an electronic signature -- your  
20 electronic signature on the document which spells out your  
21 name and says that you've signed with the Court's -- I've  
22 signed it on your behalf, based on your permission?

23 THE DEFENDANT: Please. Thank you.

24 THE COURT: Okay. I have signed it. I find that  
25 the -- Mr. Kuang understands the nature of his obligations

1 and the consequences of violating his obligation, and  
2 therefore, I am signing the bond and permitting his release.

3 Mr. Haggans, I want to make sure -- do you think  
4 there's any other colloquy that's necessary with him?

5 MR. HAGGANS: As to the bond, no, Your Honor.

6 THE COURT: Okay. Mr. Walsh?

7 MR. WALSH: No, Your Honor.

8 THE COURT: Okay. Mr. Haggans, anything else at  
9 this point?

10 MR. HAGGANS: I have just a handful of matters for  
11 the record. Perhaps we should let the translation, and then  
12 I'll do those.

13 THE COURT: Okay.

14 MR. HAGGANS: The Court made reference to the  
15 defendant's passport, and we are advised that has been  
16 surrendered to Pretrial Services.

17 The Government has also -- go ahead.

18 (Pause for translation)

19 MR. HAGGANS: The Government has also made consular  
20 notice as required.

21 And finally, I just wanted to note for all's  
22 attention, the next court date in this matter is scheduled  
23 for September 27th at 11:00 a.m. before the presiding  
24 district judge, Judge Chen. It's anticipated at this time  
25 that that will be an in-person proceeding.

1 That's it from the Government. Thank you, Your  
2 Honor.

3 THE COURT: Okay. Mr. Walsh, anything from you?

4 MR. WALSH: No, Your Honor.

5 THE COURT: Okay. I wish you all continued good  
6 health and have a nice day.

7 MR. WALSH: Thank you.

8 MR. HAGGANS: Thank you, Your Honor. Have a good  
9 weekend.

10 (Proceedings concluded at 3:40 p.m.)

11 I, CHRISTINE FIORE, Certified Electronic Court Reporter  
12 and Transcriber, certify that the foregoing is a correct  
13 transcript from the official electronic sound recording of  
14 the proceedings in the above-entitled matter.

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September 1, 2021

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Christine Fiore, CERT

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